

Summary of draft passed on FIRST READING: The illegal dumping of used tires has been a problem for some time now, costing both the County and the City significant amounts of money and time in cleanup, creating an eyesore, and reducing property values in neighborhoods both in and out of the City of Memphis. A major source of the problem is tire haulers who are paid by used tire dealers to haul unusable tires off to the recycling center. Once paid, the haulers dump the tires at a convenient location.

The proposed Ordinance would address the problem by requiring tire dealers and haulers in Memphis and unincorporated Shelby County to mark tires and to keep records on the transfer of tires, allowing tire haulers to be paid for hauling only after confirming that the tires were indeed accepted at the recycling facility. The Ordinance would also penalize illegal dumping and improper storage of tires. Finally, it would establish a Tire Redemption Program, in which citizens could turn in tires to the recycling center for a bounty of 50 cents per tire. More detail is set out in the attached Summary of Proposed Tire Disposal Ordinance.

The Ordinance is being proposed simultaneously at the County and City level as part of a cooperative effort with Councilman Harold Collins. Originally drafted as two separate Ordinances, it is currently being redrafted as a Joint Ordinance.

The proposed changes to the ordinance as presented for second reading are mostly technical in nature. The amendments

- (1) clarify that the City of Memphis Office of Permits will issue the tire business permits and issue fines, while the Sheriff's Office and County Code Enforcement offices will otherwise enforce in unincorporated Shelby County, and that the county recycling center will be used for recycling tires;
- (2) reference an Interlocal Agreement providing for joint enforcement as noted above, which will be required before the ordinance will be effective; and
- (3) replace a requirement that tires be marked with a requirement that used tires deemed unusable be slashed or otherwise rendered unusable.

SUMMARY OF PROPOSED TIRE DISPOSAL ORDINANCE

Commissioner Steve Mulroy
Councilman Harold Collins

September 2009

1. **Permits.** Tire businesses (a business which resells used tires, generates waste tires, or hauls, repairs, stores, and/or disposes of tires) must get an annual permit (\$25) which lists relevant information.

2. **Marking Tires.** Tire businesses must mark used tires with an I.D. number identifying the business. The mark could be used to trace back illegally dumped tires to the tire business which generated the used tire.

3. **Manifests.** Tire sellers, tire haulers, and tire recycling facilities must keep manifests recording the number of tires they are sending out for recycling, or hauling, or accepting for recycling, as the case may be. Tire haulers would not get their payment for hauling unless they can produce a manifest showing that they indeed dropped off the tires at a recycling facility. The manifests could also be used to help trace what happened to tires which are dumped illegally.

4. **Limitations on Storage, Dumping.** Tire storage is regulated to prevent accumulation of standing water and other unsafe conditions, and illegal dumping of tires is punishable by \$50 per tire.

4. **Tire Redemption.** Any citizen (not a tire business) can pick up discarded tires, turn them into the recycling center, and receive 50 cents per tire. A City-County Tire Redemption Fund will be established, with the City and County each contributing \$50,000. The Redemption Program will last one year, subject to renewal by the County and City.

Note: The proposed Ordinance was originally drafted as a separate County Ordinance and City Ordinance, but may be redrafted to be a Joint Ordinance.